



Megan Maloney
District Attorney

March 24, 2017

Re: Humane Society Waterville Area shelter Dog – a husky named Dakota, originally owned by Matthew Perry, from Waterville ME, and now owned by a new family from Winslow, ME.

#1: Docket No.: VI-16-20243; 7/19/2016

#2: Docket No.: VI-17-20053; 3/21/2017

Dear Ms. Maloney,

I am writing on behalf of the Humane Society Waterville Area, as well as the new owners of the dog identified above. This case has been confusing from the beginning as the dog had a “dangerous dog” order placed against it last year in Waterville stemming from an incident where it was allowed to run loose and killed a small dog while owned by Matthew Perry. The order allowed that the dog be adequately confined or on a short leash going forward.

Subsequently earlier this year in another incident the dog’s owner did not provide adequate oversight and this dog, along with another very similar looking husky dog, ran at large and returned to the same neighbor’s home and one of these two dogs was aggressive toward smaller dogs on the same property where the original incident occurred, but no damage took place. This second case did not go to court until this week, March 21, 2017. The Humane Society was not aware of this second court date or offense.

In February 2017 Dakota was away by Matthew Perry, to someone in a different town, who then allowed the dog to run at large. February 8th, 2017 Dakota was picked up as a stray and brought to the shelter. No damage was done. The original ACO from Waterville again became involved with the case as requested the dog be held pending the 2nd incident. While at the shelter she was a model resident, extremely friendly, social with other dogs, and easy for staff to handle. We observed no aggression of any kind and trained staff deemed the dog did not display any concerning behaviors.

On February 18 the ACO stated to a canine care technician that he had heard from the ADA, Frank Griffin, and the result was: as of that date ownership of the dog was placed with the shelter, and the shelter could re-home the dog as long as the new owner or placement with held the original dangerous dog order of confinement. Around March 10 The shelter Director, myself, again verified that Dakota was able to be placed with new ownership. On March 18, 2017 such an owner was located and papers were signed and this new party became the legal owners of Dakota.

On Tuesday, March 21, 2017, the second court proceeding took place with Matthew Perry, who no longer owned Dakota. The order issued by the judge ordered Matthew Perry, as the "Owner" or the "Keeper" to have the dog destroyed. However, the dog is no longer owned by Matthew Perry, and the new owners are now the legal owners – not merely "Keepers". Matthew Perry was not the legal owner as of the date of this order on March 21, 2017.

The new owners are being requested to take their dog to be euthanized. They have not been given due process. The new owners were not aware of the more recent court case, nor the date for it, and therefore were not involved with the proceedings.

The Humane Society Waterville Area was provided official information by authorities (the Animal Control Officer and reportedly from the Asst. District Attorney,) and acted on that information in good faith, making judgements that were well founded for the safety of the community and the dog. We have determined this dog was not placed with a responsible owner initially and see no potential threats in this placement situation.

I am requesting a decision that will allow Dakota to remain in this safe situation with the new owner, or to give them "due process" to be heard. We have found her to be an excellent dog, extremely people friendly, and generally dog friendly.

Thank you for your consideration.



Lisa Smith
Director; Humane Society Waterville Area
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